



Appeal Decision

Site visit made on 30 April 2024

by Philip Mileham BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd May 2024

Appeal Ref: APP/J0350/W/23/3328155

25 Reddington Drive, Slough, Berkshire, SL3 7QT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a grant of planning permission subject to conditions.
 - The appeal is made by Hena Begum against the decision of Slough Borough Council.
 - The application Ref P/15056/001 was approved on 17 March 2023 and planning permission was granted subject to conditions.
 - The development permitted is the construction of a single storey front and side extension and first floor rear extension.
 - The condition in dispute is No 4 which states that: No development above damp course level shall take place until details of a landscaping scheme of the front hardstanding area have been submitted to the Local Planning Authority and approved in writing. The landscaping scheme shall include details of a front hedge, fence or brick boundary wall to prevent vehicles gaining access to the property and no part of the area shall be used for car parking or for any other use without obtaining the relevant planning permissions. The landscaping scheme shall be carried out in accordance with the approved details prior to the first occupation of the extensions and should be permanently retained thereafter.
 - The reason given for the condition is: In order to minimise danger, obstruction and inconvenience to users of the highway of an unconsented access to the public highway in accordance with Policy T2 of the Slough Local Plan 2004.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Planning permission has been granted for front and side extensions to the host property. The appeal seeks permission to carry out the development without complying with condition 4 which requires the provision of a boundary hedge, wall or fence along the front of the property and as a consequence, not to use the frontage of the property for the parking of vehicles as set out above.
3. At the time of my visit, the development appeared to have taken place.

Main Issue

4. The main issue in this appeal is whether the condition is necessary having regard to highway safety having regard to access.

Reasons

5. The appeal site is a two-storey semi-detached property which is located off an area of grassed public open space. The appeal property is accessed via a pavement and there is no direct vehicular access to the property from the road. Instead, there is an existing parking and turning area in front of the open

space. The area in the immediate vicinity of the appeal site also includes pairs of two-storey semi-detached dwellings which front the open space and, similarly to the appeal site, do not have direct vehicle access to their frontages.

6. An existing dropped kerb is located near to the property which the appellant has indicated would provide vehicular access to the property. However, the dropped kerb nearest to the site appears narrow and therefore would not be wide enough for a car or similar sized vehicle to crossover without also needing to wholly or partially mount the grassed open space. As a result, pedestrians utilising the footpath in this area would not expect to experience vehicles crossing the open space and pavement to reach the property.
7. The existing properties in the vicinity also have similar pedestrian-only access to their properties with vehicle parking in a nearby parking and turning area adjacent the public open space. The removal of the condition would result in the loss of parking space in the parking and turning area for other residents. This is due to the fact that part of the existing parking and turning area would need to be kept clear of obstruction to facilitate access to the appeal property. This would also result in the likelihood of parking stress existing parking area, and consequently, parking may take places in unsuitable areas resulting in further conflict between vehicles.
8. The front garden area of the appeal property has limited space for a vehicle. As a result, any vehicle that may fit in the space would not be able to enter and then exit in forward gear. Vehicles would therefore be forced to reverse in or out across the pavement and over the open space. This would undoubtedly result in the potential for conflict between pedestrians and vehicles with vehicles manoeuvring across the open space and the pavement.
9. The appellant has indicated that there are other driveways in the area across pedestrian walkways. However, I have not been provided with full details of such examples or any relevant permissions which established them. Furthermore, there is no evidence of similar circumstances amongst the properties in the immediate vicinity of the appeal site. As a result, this is of limited weight in my decision.
10. Whilst I note that the appellant may experience some difficulties or experience additional costs in relation to skips or deliveries which would not be able to directly access the front of the property, these matters are not sufficient to outweigh the harm to highway safety that would arise if the condition were removed.
11. The National Planning Policy Framework (the Framework) sets out at paragraph 56 that planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. I find that the condition is necessary to ensure that the development would not result in harm to highway safety and is clearly related to the development. The condition is also enforceable, precise and reasonable in all other respects as required by the Framework.
12. In conclusion, the condition is necessary having regard to highway safety having regard to access. Consequently, removing it would fail to accord with Policy T2 of the Slough Local Plan (2004) which, amongst other things, supports additional on-site car parking where this is needed to overcome road

safety problems, protect the amenities of adjoining residents and not result in an adverse visual impact on the environment.

13. The condition would also accord with the provisions of paragraph 56 of the Framework for the reasons set out above.

Other Matters

14. The appellant has raised concerns regarding the Council's determination of the original planning application. However, this is not a matter that is before me, and I have not addressed them further in my decision.

Conclusion

15. For the reasons given above the appeal should be dismissed.

Philip Mileham

INSPECTOR